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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

GHOTA TOKHI, *et al.*,

Plaintiffs,

v.

ALEJANDRO MAYORKAS, Secretary
of Homeland Security, *et al.*,

Defendants.

HON. ZAHID N. QURAISHI

Civil Action No. 23-5215 (ZNQ)(RLS)

APPLICATION FOR EXTENSION OF TIME TO ANSWER, MOVE OR
OTHERWISE RESPOND

Application is hereby made, pursuant to Local Civil Rule 6.1(b), for a 14-day extension of time for Defendants to answer, move or otherwise respond to the Complaint. It is respectfully requested that the Clerk extend the time for Defendants to answer, move or otherwise respond to the Complaint until November 20, 2023, and it is represented that:

1. No previous extension has been obtained;
2. It appears that Plaintiffs mailed by certified mail a Summons and the Complaint to the U.S. Attorney's Office on September 6, 2023, and that Plaintiffs filed their Complaint on August 18, 2023;

3. If it is assumed, for this Application only, that Plaintiffs had met all service obligations under the Federal Rules of Civil Procedure when a federal officer or employee is sued in his or her official capacity, *see* Fed. R. Civ. P. 4(i)(2), and that service was effected upon the U.S. Attorney's Office on September 6, 2023, the date they mailed the Summons and Complaint to the U.S. Attorney's Office, the last day for Defendants to answer, move or otherwise respond to the Complaint is Monday, November 6, 2023, *see* Fed. R. Civ. P. 12(a)(2); and

4. Defendants expressly reserves their right to contest jurisdiction and service of process.

Respectfully submitted

PHILIP R. SELLINGER
United States Attorney

By: *s/Brooks E. Doyne*
Brooks E. Doyne
Assistant United States Attorney

Dated: September 27, 2023